

City of Falls Church Legislative Program
2007 Virginia General Assembly
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Priority Positions

Photo Red

Background: In the mid 1990s, the General Assembly granted several jurisdictions, mostly in Northern Virginia, the authority to implement photo red programs. The authority for all of these programs expired on July 1, 2005. Jurisdictions that implemented photo red programs saw significant reductions in the number of vehicles running red lights at intersections where a photo red camera was installed. In addition, surveys conducted before and after the implementation of these programs show strong public support for them. In December 2004, the Virginia Transportation Research Council (VTRC) released a review of the six current photo red programs in Virginia. The report concluded that the programs are technically and operationally feasible and recommended their continuation. The legislative attempt to reinstate the program, following the 2005 refusal to repeal the sunset provisions, during the 2006 General Assembly session failed. It is anticipated that bills will be filed in the upcoming session to reinstate the program. Reinstatement of this program has support from other Northern Virginia localities.

Position: The City joins the Northern Virginia Region and VML in supporting legislation that would reinstate photo red authority for jurisdictions that previously had this authority.

Post Employment Benefits – GASB 43 and 45

Background: The requirement for this legislation arises from the 2006 accounting standard established by the Governmental Accounting Standards Board (GASB) requiring that state and local governments account for other pension employment benefits (OPEB) in a fashion similar to pensions and establish trust funds to fund the liabilities for these benefits. For large localities this requirement is effective for FY08 and for small localities, including the City of Falls Church, it is effective in FY09, and therefore legislation is being introduced in 2007 to amend the Code of Virginia to allow for the establishment of trust funds for funding of OPEB and for the allowable investments of such funds. There is companion legislation being developed to create a Virginia OPEB trust fund similar to existing Investment Fund Pools overseen by the State Treasurer.

Position: The City supports the legislative initiative of the Auditor of Public Accounts to amend the Code of Virginia to allow for the establishment of trust funds for funding of other post employment benefits other than pensions and for the allowable investments of such funds.

Unfunded State Mandates

Background: The City and many local governments have long been concerned with unfunded mandates due to the negative impact on the local jurisdiction's operations and the negative fiscal impact. Fairfax County is hosting a regional roundtable on the impacts of Federal and State mandates and how local jurisdictions are addressing the issue on December 4, 2006. City staff will monitor this effort.

Position: The City opposes unfunded State mandates and recommends a State Code amendment that ensures that the State shall not impose future unfunded mandates and shall fund all past unfunded mandates.

Court Services Unit – State Funding

Background: The City operates a specialized Court Services Unit (CSU) to provide support to the 17th Juvenile and Domestic Relations District Court. The Code of Virginia authorizes a jurisdiction to operate a CSU (16.1-235B) and entitles it to receive reimbursement from the Virginia Department of Juvenile Justice for fifty percent (50%) of the compensation and travel costs of court service personnel (16.1-238). During recent years the City has been reimbursed at a rate significantly less than fifty percent of applicable costs. For instance, in FY06 the City received only twenty percent (20%) of personnel and travel costs from the Department of Juvenile Justice, which reflects a consistent pattern for FY05, 04 and 03 fiscal years as well. Other local jurisdictions are advocating for the state to fund the required amount.

Position: The City seeks an appropriation in the amount of \$122,116 to the City of Falls Church in each year of the Biennium Budget for a total appropriation of \$244,232. This appropriation will support the State's share of fifty percent of personnel and travel costs incurred by the City of Falls Church in operation of a specialized Court Services Unit pursuant to Virginia Code Section 16.1-235B.

Funding

Transportation Funding

Background: Localities throughout Northern Virginia, Hampton Roads and other areas of the state have made new transportation funding a top legislative priority for several years. VML and NVRC has also adopted transportation as priority issues to be addressed. Prior to and during the 2004 and 2006 General Assembly sessions as well as the recently completed but unsuccessful 2006 Special Session, a number of proposals to increase transportation funding were supported but defeated by the General Assembly. The City of Falls Church Council adopted a resolution for the Special Session, on September 25, 2006, to support prompt General Assembly action for the provision of dedicated and sustainable Northern Virginia Transportation investment to fully fund State requirements and achieve the Northern Virginia Transportation Authority "TransAction 2030" Plan.

The Northern Virginia Regional Commission legislative program specifically asks that the regions highway, transit, bicycle and pedestrian needs be met by:

- 1) Significantly increasing transportation funding for all modes from a stable, reliable and permanent source(s);
- 2) Meeting the Commonwealth's statutory 95 percent share of transit operating and capital costs (net of fares and federal assistance). This would require approximately \$200 million annually in new funds for the limited transit project and eligible operating costs included in CTB's six-year program; and
- 3) Approving a dedicated funding source for the Washington Metropolitan Area Transit Authority that consists of a one-quarter percent on the sales and use tax in the five WMATA jurisdictions, subject to approval by governing bodies representing 90 percent of the population of these five jurisdictions.

Also, the Compact jurisdictions stepped forward to fund the six-year Metro Matters Program, which will meet \$1.8 billion in critical capital needs with a 5-year funding commitment remaining. Going forward, the full burden of Metro's new capital needs should not be placed on the backs of property tax payers of the Compact region. Federal legislation was introduced last year, and was carried over, to provide \$1.5 billion in new federal funding over ten years but it must be matched from dedicated state/local sources. Representative Tom Davis will introduce a substitute bill in the next Session. The City continues to call upon the General Assembly to respond to this effort at the federal level and develop a dedicated, sustainable funding stream for WMATA's new capital needs.

Position: The City calls on the General Assembly to provide significant increases in statewide transportation funding from stable, reliable, sustainable and permanent sources, and recognizing that Northern Virginia has a major portion of statewide transit ridership and provides a very significant share of the commonwealth's financial resources, ensure that this region receives its fair share. The City supports the NVTC and NVTa legislative program recommendations.

Environment – Water Quality Improvement Fund

Background: In 2004, the General Assembly appropriated new funding in the amount of \$15 million each year of the biennium for the Water Quality Improvement Fund (WQIF), and this amount was increased by \$50 million in 2005. This increase is still inadequate to meet the enormous costs of meeting the goals of the Chesapeake 2000 Agreement.

Position: The City supports increased funding for the Water Quality Improvement Fund, and supports a dedicated source of revenue.

Schools

The City Council supports the Falls Church City School Board's Legislative Program on the requirements for state funding of public education.

Libraries

Background: State Aid for Public Libraries was last fully funded as required by the State Aid Formula in FY2000. Funding has fallen short in each subsequent year, and in FY2007 State Aid funding of \$17.7 million was only seventy one percent of the \$24.7M needed to fully fund the State Aid formula.

If the State Aid Formula had been fully funded in the FY2001 – FY2007 period the City of Falls Church library would have received \$431,051 additional State Aid dollars during this time. These monies would have been used exclusively to purchase library books, audio-visual materials, and periodicals for all ages and interests.

Position: The City of Falls Church supports additional funds being allocated to State Aid for the 2007 legislative program so as to move closer to the goal of fully funding State Aid by FY2009.

Law Enforcement Funding

Position: The City supports continued full funding of the HB 599 law enforcement program, to include continuation of annual increases in accordance with the State General Fund as required by Va. Code §§ 9-183.13 through 9-183.21. The State should fully fund its commitment to this public safety program so that the funding is stable and equitable and can be relied upon to help fund preparedness and other important local law enforcement needs. The City appreciates the actions of the 2004 General Assembly to fund the HB599 program for local police departments.

Sustainable Energy

Background: City Council supports a proactive approach to sustainable energy and in particular recommends legislation, in the form of Double Declining Depreciation, to provide tax benefits that stimulates sustainable energy techniques within energy reduction and distribution systems. This requires the development of a new category of equipment. A tax benefit cap for corporations is recommended so that small businesses are targeted with an exclusion if rural electric cooperatives and municipal owned utilities are included. A request for legislation will be coordinated with Delegate Scott and Senator Whipple in order to meet the December 11th Legislative Services pre-filing request deadline. Specific legislative language would be brought back to Council for consideration and amendment to the 2007 Legislative Program as warranted.

Position: The City requests that our State Delegation introduce legislation for Double Declining Depreciation for Energy Reduction and Distribution Systems.

Support Positions

Affordable Housing – Virginia Housing Trust Fund

Background: HB 92 and SB 277 were introduced in the 2006 session to establish and fund a State Housing Trust Fund allowing for portions of the recordation tax to be used to provide matching funds to localities that have a local housing fund. The Trust Fund should be flexible and encourage private sector participation as well as local government participation through matching set aside allocations. There was not consensus on what funding sources should be utilized so this bill was continued to 2007 in the Finance Committee. A regional forum of affordable housing stakeholders, under the lead of the Northern Virginia Affordable Housing Alliance, was conducted in October 2006 and the State Housing Trust Fund was one of the top three legislative priorities agreed upon. The Forum recommended that the following other priorities be referred to the General Assembly Virginia Housing Commission for further study:

- 1) Granting authority for local government option to develop innovative housing policies and programs that go beyond the existing state enabling legislation such as expanding inclusionary zoning eligibility/criteria (i.e. eliminating the high-rise exemption and allowing increased participation by local jurisdictions) and increasing the ability of local governments to create employee assisted housing programs with funds from general revenue, and
- 2) Provide state incentive for: a) developments that locate affordable housing near identified employment centers, high-density districts and/or transit areas, acknowledging impact of commuting on housing affordability; and b) local jurisdictions that participate in regional planning efforts for projected job growth impact analysis that includes all income ranges and housing types.

Position: The City endorses legislation targeted to establish the Virginia Housing Trust Fund with a permanent dedicated funding source that is both substantial and stable. The City also supports the two recommended affordable housing studies.

Affordable Housing – Condominium Conversions

Background: The Northern Virginia jurisdictions are experiencing a significant number of rental complexes converting to condominiums. This results in a significant loss of affordable rental units and high risk of displacement for tenants, especially the elderly and disabled.

Position: The City supports the following two changes to state law relating to condo conversion, to help protect affordable housing:

- 1) Require that local governments be notified of proposed condominium conversions. Under current law, the owner of a building must notify the Virginia Real Estate Board at least sixty days prior to initiating a condominium conversion. The City supports legislation to require local government notification, as well, either directly by the owner, or by the Virginia Real Estate Board.

2) Allow certain qualifying tenants to assign their “right to purchase” to a government agency, housing authority, or non profit housing corporation. Under current law, tenants in condominium conversions have the right to purchase their unit within sixty days after the owner registers the conversion with the Virginia Real Estate Board. Also under current law, disabled and elderly tenants are eligible for a three year lease extension after conversion. The City supports new legislation that would allow any tenant that meets the current eligibility test for the three year lease extension, as defined under current law, to be able also to assign their “right to purchase” to a government agency, housing authority, or non profit corporation, for the purpose of leasing that unit back to the tenant, and for the purpose of maintaining that unit as affordable housing on a permanent basis.

Affordable Housing – Policy Work Group Items

The Virginia Housing Commission’s Work Group studied a host of issues relating to preserving affordable housing. The following items were raised by the Work Group, and may surface as issues in the upcoming session of the General Assembly.

Workforce Housing

Background: The current State Code defines “Affordable Housing” as housing that is affordable to those making up to 80% of area median income. As many Northern Virginia jurisdictions, including the City of Falls Church, analyze the affordable housing needs of their citizens, the focus now includes workforce housing, which may include households making 100 to 120 percent of area median income. In the City, staff is looking at the workforce housing definition as being up to 100% of the area median income.

Position: The City supports amending the State Code definition of affordable housing to define workforce housing as permitting income levels up to 120% of the area median income.

Community Housing Tax Credit

Background: The Work Group studied proposals to amend State Code Sections 58.1-339.11 and 58.1-439.12:02- relating to the Community Housing Tax Credit Program. The proposed changes would provide additional incentives to create affordable units, to provide tax credits for land acquisition, and to leverage the federal LIHTC program. This issue has been continued to 2007 and forwarded to the Finance Committee.

Position: The City supports these proposed changes to the Community Tax Credit in concept, but will monitor the text of the final language.

Business License Tax

Background: The Business, Professional and Occupational License (BPOL) Tax is an important part of the City’s diverse tax base. Local governments, including the City,

must retain control of their existing revenue sources so that the tax burden is spread evenly across the population and local governments can meet the needs of their citizens.

Position: The City opposes any effort by the General Assembly to further restrict the ability of local governments to set Business, Professional, and Occupational License tax rates and categories, and opposes any effort to increase the number of exemptions to this tax.

Business Personal Property or Tangible Personal Property Tax

Background: The General Assembly authorized a study on the question of allowing business owners to declare a portion of business equipment at a certain time to be idle and therefore not subject to taxation. Administration of the assessment protocol would be problematic. The personal property is currently taxed on a sliding depreciation schedule over time based on acquisition price. The results of this study are not complete and should be monitored.

Position: The City opposes legislation that increases the complexity and cost of assessing personal property and has a potential negative fiscal impact.

DMV Select Agent Commission Rate

Background: A bill was introduced in 2006 to increase the commission rate for administering a DMV Select office. It did not pass but is likely to be reintroduced this year. An increased rate would further assist in off-setting the office, labor and supplies cost for the Commissioner of Revenue. The current rate is 3.5% and the proposed rate is between 4.5% and 5%.

Position: The City supports increasing the DMV Select Agent Commission Rate.

Civil Rights and Personal Freedom

Position: The protection of the civil rights of all people and expansion of individual freedoms are essential for maintaining and increasing the quality of life for all Falls Church citizens. The City of Falls Church supports legislation that protects and expands civil rights and personal freedoms, and opposes any legislation that is aimed at curtailing or diminishing those rights. To strengthen these protections, the City supports legislation that would: 1) prohibit discrimination on the basis of sexual orientation; 2) prohibit employers from using genetic information for employment related purposes; 3) add sexual orientation to the hate crimes statute; and 4) protect the rights of immigrant populations.

Eminent Domain

Background: The Supreme Court ruling in *Kelo v City of New London* upheld a city's use of eminent domain to condemn privately owned real property so that it could be used for

economic development. However, this ruling has prompted a negative reaction from state and federal legislators. A Housing Commission Work Group was formed to study Eminent Domain/Local Revitalization/Brownfield Remediation Issues. The Work Group conducted several meetings to analyze various perspectives on the issue, and developed draft amendments to both the Virginia Constitution and State Code. The Work Group developed a draft bill that would substantively narrow the definition of “public use” in State Code Section 15.2-1900. The Work Group also developed a Constitutional Amendment (Section II of Article I) to further define “public use”. The various bills were not passed and were continued to 2007 in a subcommittee of the Courts Committee.

Position: The City opposes any reduction of the eminent domain authority that is currently established in the Virginia Constitution and the State Code. The City is concerned about potential adverse effects on future projects under the Public Private Education Facilities and Infrastructure Act (PPEA) and Public Private Transportation Act (PPTA), and in the areas of affordable housing redevelopment and transportation and public uses related to its City Center Plans.

Environment – Tree Preservation

Background: The City has long been recognized for its healthy and mature tree canopy, and has enjoyed the designation of “Tree City USA” by the National Arbor Foundation for the past 27 years. The City’s oldest civic association, the “Village Preservation and Improvement Society,” was founded in 1885 for the primary purpose of planting and cultivating trees. It is natural, then, that the City was also one of the first localities in the State to adopt a tree preservation ordinance, and the City consequently benefits from some “grandfathered” authority under that ordinance.

Fairfax County has repeatedly sought amendments to Virginia Code Section 15.2-961 that would allow localities to require the preservation of trees during the development process. Current state law deals with tree canopy replacement and provides minimal incentives (and limited authority) for tree preservation. Proposed legislation would allow local authorities to require tree preservation as well as tree replacement.

Position: The City supports legislation to give localities greater latitude in preserving existing trees during the land development approval process.

Land Use – Expanded Land Use Tools and Adequate Public Facilities

Background: Current state land use authority is often inadequate to allow local governments to provide for growth in a manner that protects and improves the quality of life in our communities. Staff is tracking two pieces of legislation (HB5094 and 5093) that were carried over in Counties, Cities and Towns. HB5094 requires every county and allows any city or town to create “urban development areas” in the comprehensive plan and require the identification of land to accommodate residential growth over the next 10 years. This is not a feasible option for the City, creates an administrative burden, reduces development flexibility and the likelihood of the associated impact fees remaining is

minimal. HB5093 allows counties to create urban service/tax districts. This legislation is currently not applicable to cities and should remain permissive and not mandatory if authority is expanded.

Position: The City supports action by the General Assembly to authorize local governments to implement growth management policies and develop land use tools that allow for regionally coordinated planning, sustainable land use patterns, green building techniques, form-based coding, resourcing regulatory enforcement, as well as adequate public facilities ordinances and proffers in order to enable localities to facilitate orderly, rational growth in a manner appropriate to their communities.

The City also calls for the General Assembly to maintain current authority in the state code to allow conditional zoning rules to balance the financial impact created by residential and other development in addition to adopting new powers such as adequate public facilities, adequate educational facilities and impact fee legislation.

The City does not support mandatory creation of urban development areas nor urban service/tax districts.

Libraries – Find it Virginia!

Background: *Find it Virginia!* is a cooperative project of the Library of Virginia and Virginia's public libraries, which was designed to promote and support public access computing, Internet connectivity, and quality information resources in all Virginia public libraries. Mary Riley Styles is one of those public libraries that receives this free service for its patrons. In recent years, *Find it Virginia!* has been expanded to include K-12 classrooms and Community Colleges. Any Virginia child can access these databases at their school or at their home if they have a library card from a Virginia public library.

By licensing these electronic resources (full text) for all these Virginia sites, it allows the Commonwealth to receive volume pricing that is not available to Mary Riley Styles Public Library or Falls Church City schools. In order to expand this important program to provide additional K-12 databases and to meet the increase in prices due to inflation, it would require \$6M of state money. Without these additional monies, it will not be possible to maintain the current resources.

Position: The City supports additional new state funding to license *Find it Virginia!* for ALL public libraries, K-12 and Community Colleges and to adjust for annual program cost escalation.

Libraries – Internet Access

Background: In 1998, the Virginia General Assembly addressed the issue of Internet Access in public libraries (Virginia Code 42.1-36.1). Each library is required to have a locally approved Acceptable Use Internet Policy (AIUP) in place, which the Mary Riley Styles Public Library does. The policy is locally reviewed and approved every two years and submitted to the Library of Virginia. This law supports decision making closest to the

community affected and gives each locality the ability to decide what measures are most appropriate to regular Internet access in their public libraries. In a time of reduced State Aid, the General Assembly should not impose an unfunded mandate on jurisdictions to spend very scarce local dollars to comply. The law, as enacted, is working; there have been few incidents reported.

The Mary Riley Styles Public Library currently does not filter its public Internet workstations. Last year several bills proposed that ANY library that receives State Aid must filter. These bills failed to pass last year by a very narrow margin and will probably be brought forward again this year. By leaving the option to local discretion, the Mary Riley Styles Public Library and the City of Falls Church believes that it better serves the local community's wishes.

Position: The City strongly supports existing policy, whereby Internet access in public libraries is regulated through locally developed and approved acceptable use policies. The City opposes any unfunded mandate to filter Internet access in public libraries.

Public Safety – Dangerous Weapons in City Facilities

Background: Local governments are singled out for special treatment under Virginia law with respect to the ability to prohibit dangerous weapons from being carried into their buildings and facilities. Virginia law generally prohibits firearms and other dangerous weapons to be carried in places of worship, courthouses, and schools. This general prohibition does not extend to public facilities such as City owned libraries, recreational centers, or meeting halls. Virginia law allows private property owners to prohibit a person from bringing dangerous weapons onto their property. Yet local governments are prohibited from acting in similar fashion to restrict the possession of firearms in their buildings. The City supports changes to state law to allow local governments to create a weapons-free environment in publicly owned facilities.

Position: In order to strengthen the public's confidence in their security and safety in public facilities, the City of Falls Church supports state legislation to allow the City to prohibit the carrying of firearms into any City owned property or facility, including recreational facilities and libraries, City administrative offices, and the meeting rooms where Council and other boards and commissions formally meet to conduct the City's business. The City would accept exclusion for holders of concealed weapon permit.

Public Safety – Teen Driving

Background: Motor vehicle crashes are the leading cause of death for teenagers nationwide. Teen drivers are more likely to be involved in a car crash than any other group. National experts indicate that teen drivers killed in motor vehicles had a young passenger in the car forty-five percent of the time. More than one-third of teen fatalities involve speed. Teenagers make up seven percent of all drivers, but suffer 14 percent of fatalities and 20 percent of accidents nationwide.

Position: The City supports legislation, supported by the NVRC, to amend current laws for violations of curfew and limits on underage passengers and for drivers under the age of 18 by changing such secondary offenses to primary offense. Secondary offenses now require observation of a primary offense for a law enforcement officer to initiate enforcement action. In addition, the City supports legislation to create a new requirement to ban use of wireless communication devices while operating a motor vehicle by drivers under the age of 18.

Regional Positions

Electric Restructuring

Since the 1999 Virginia Electric Utility Restructuring Act was enacted into law, competition for electric service in Virginia has failed to materialize. Consumer prices have remained low as a result of caps that ensured rates are unaffected by market forces. However, these caps are due to expire December 31, 2010. It is feared that Virginia consumers will face substantial rate hikes as happened in the neighboring states of Maryland and Delaware. The State Corporation Commission (SCC) recently issued a letter to the Governor and General Assembly warning of the potential impacts if the rate caps are lifted. A review by the Commission on Electric Utility Restructuring is currently underway. The Northern Virginia region requests a review and consideration to amend the deregulation legislation to allow for continued state regulatory oversight by the SCC.

Pedestrian Safety

Pedestrian safety is a major issue for Northern Virginia localities. The high volume of traffic often makes it difficult for pedestrians to cross roads, even at crosswalks. Current law (Va. Code § 46.2-924) requires drivers to yield, but not stop, at any clearly marked crosswalk where the speed limit does not exceed 35 miles per hour. Many Northern Virginia elected officials and residents believe that pedestrian safety would be enhanced if drivers were required to stop for pedestrians at crosswalks. Consequently, the region seeks legislation that would require all drivers statewide to stop, not yield, at all marked crosswalks.

Virginia Association of Community Services Boards

The Virginia Association of Community services Boards (VACSB) as well as the Northern Virginia CSBs, including the Fairfax-Falls Church CSB, have adopted a budget priority platform. The Northern Virginia CSBs have recommended the following four budget priorities. If funded, these priorities will allow the region to continue its promotion of innovation and quality while assuring efficient and cost effective delivery of services. The four priorities are:

- 1) \$2,350,00 for a Regional Specialized Pilot for Geriatric Adults with Mental Illness-the pilot will serve 450 older adults in the region annually and the focus is to divert the growing number of geriatric consumers in the region from being hospitalized at Eastern State Hospital as well as providing community supports for those being discharged from the hospital.
- 2) \$2,160,580 for Expansion of the Regional Discharge Program for Adults with Mental Illness- funds to serve 55 adults annually who are ready for discharge from State or private psychiatric facilities but who require specialized, intensive services to live successfully in the community.
- 3) \$2,780,000 for Local Inpatient Purchase of Services for Adults in Need of Psychiatric Hospitalization-funds would be used to purchase 7 psychiatric beds from private hospitals in Northern Virginia and serve 400 adults annually.
- 4) Increase Mental Retardation Day Support Medicaid Waiver reimbursement rates by 14 percent for all services, and provide an 18 percent differential for Northern Virginia Medicaid Services- Northern Virginia vendors have significant difficulties in recruiting and retaining qualified staff due to the high cost of living and a relatively small pool of job applicants and may not be able to continue to operate in Northern Virginia.

Funding for the Information and Referral “2-1-1” Line

The Information and Referral 2-1-1 is an easy to remember telephone number connecting people with local community information and referral services. Currently each Northern Virginia locality in partnership with the NVRC operates Information and Referral services Monday through Friday during core business hours. There is a statewide initiative to transform the full state, including Northern Virginia, to a 24/7/365 system. However, the State funding remains inadequate. Northern Virginia supports adequate state funding prior to any Northern Virginia system design change.

Increased State Funding for Certain Court System Employees

Fairfax and Arlington Counties are considering budget amendments to increase the amount of money the state pays for localities for magistrates, public defenders, and other court employees. Staff from the State’s indigent Defense Commission have also been discussing the need for salary increases for some of these employees with the Governor’s staff. The Northern Virginia region supports this budget proposal and the funding can lessen the amount localities have to subsidize state employee salaries.

Restrictions on Services to Immigrants and Related Issues

Immigration policy and enforcement of federal immigration laws is increasingly becoming an issue in Virginia and other states. Estimates by the Pew Hispanic Center and other researchers place the number of illegal immigrants in the United States in excess of 10 million. While many would characterize these people as integral to the ongoing economic prosperity of the country, others complain that illegal immigrants make use of government resources that should go to citizens and legal immigrants.

Dealing with the issue of illegal immigration is a very complex matter. Legislation passed overwhelmingly by the 2005 General Assembly prohibits state or local governments from giving illegal immigrants any public services, yet even that legislation provided for exceptions that allowed public services to continue for some illegal immigrants, such as children. It is also unlikely that anyone would object to extending benefits to illegal immigrants that would also benefit the public at large (e.g., treatment of communicable diseases).

Some local governments have recently funded day labor centers, where employers can hire day laborers, some of whom may be illegal immigrants. In these cases, the local governments are trying to deal with issues that have nothing to do with illegal immigration, such as day laborers congregating outside small retail establishments and businesses. The construction of centers in these cases gives the day laborers a place to gather and wait for jobs without blocking store or other business entrances. Local governments are best-suited to determine whether a day labor center helps the locality deal with a community problem.

Some state and federal officials have also proposed that local law enforcement officers should help enforce federal immigration laws. Local governments oppose this proposal, at least in part because no money is being provided to reimburse local governments for these costs (this would be an unfunded mandate). Illegal immigration is a federal problem and a federal crime that should be addressed by the federal government.

Northern Virginia supports stricter federal action to improve the enforcement of federal immigration laws and policies. The region opposes new federal or state actions that would compromise its ability to deliver traditional local government programs and services that benefit the community. The region further opposes legislation that would mandate local government enforcement of federal immigration laws by local law enforcement officers or other local officials.

Human Trafficking

In 2006, several legislators introduced legislation that would have made it a felony to recruit another person for forced labor or sexual activity. Human trafficking is considered a modern day form of slavery. None of the bills passed. The Fairfax City Commission for Women is seeking to have similar legislation introduced in 2007. The Northern Virginia region supports this legislation initiative.

Child Day Care Subsidies for Low-income Working Families

Federal and state funding provides time-limited child care assistance for lowest-income families through TANF/VIEW but additional General Funds are needed statewide to defray these costs for economically disadvantaged families not eligible for TANF/VIEW. Childcare assistance is essential to continued economic growth and low unemployment, and preserves state and local investment in Welfare to Work programs. In addition, several Northern Virginia jurisdictions, including Fairfax County whom the City

contracts with for Family Services, lost significant federal pass-through funding due to state action. These budget shortfalls need to be addressed in 2007.

Funding for Litter Control and Recycling Fund

NVRC is requesting an additional \$100,000 in state General Funds to be appropriated to the Litter Control and Recycling Fund to be awarded exclusively in Northern Virginia to facilitate the region's overall litter control and recycling activities.

BRAC [Base Closure & Realignment]

Northern Virginia supports inclusion of sufficient funds in the state budget to:

- support retention of the military research functions in the region, and oppose efforts by any other state to seek their relocation;
- assist in recovery from the significant economic impacts of the BRAC process; and
- ensure significant fiscal resources to address the enormous planning and transportation issues raised by the relocation of more than 21,000 defense workers to Ft. Belvoir and Quantico.